

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION**

MICHAEL L. VICKERS, *et al.*,

Plaintiffs,

v.

Civil Action No. 2:24-cv-00169

JOSEPH R. BIDEN, JR., President, in his official capacity, *et al.*,

Defendants.

Declaration of Kinney County

I, Judge John Paul Schuster, hereby declare:

1. I reside in Kinney County, Texas, am a United States citizen more than 18 years of age, and am fully competent to testify in a federal court.
2. I am the County Judge of Kinney County, Texas, which is a plaintiff in the above-captioned case. Following my election as County Judge of Kinney County, I have served in that office since January 2023.
3. This declaration states the financial costs to Kinney County caused by the sharp increases in the numbers of illegal aliens and human smugglers in Kinney County since February 2021, and the consequent increases in crime by illegal aliens and smugglers.
4. As Sheriff Brad Coe of Kinney County stated in his declaration of October 13, 2024, in this action, crime has increased greatly in Kinney County since February 2021.

The county's criminal data that is reported to the Texas Criminal Justice Information Systems (CJIS) on an annual basis illustrates this. In the year 2020, there were 134 criminal charges reported in Kinney County. This level of reported crime is typical for a county with a population of only 2,500 residents. In 2021 however, the unlawful border policies enacted by DHS suddenly caused an unprecedented wave of crime to occur within the county, resulting in 2,710 criminal charges being reported to CJIS. In 2022, the amount of reported crimes more than doubled resulting in 6,796 criminal charges being reported during that year. Likewise, in 2023, there were 5,850 criminal charges reported to CJIS. The vast majority of these crimes have been committed by illegal aliens and human smugglers who have taken advantage of those unlawful immigration policies noted within the petition. This level of crime is unsustainable for a county our size and we were forced to declare a local state of disaster on April 9, 2021.

5. As Sheriff Coe stated, these increases in border related crime far exceed those levels that existed prior to February 2021. These crimes that are committed by illegal aliens and human smugglers in Kinney County have caused Sheriff Coe's office to spend well over \$50,000 more of County funds in fiscal year 2022 alone than his office was or will be reimbursed for by the State of Texas in Operation Lonestar and other programs designed to offset such expenses. Since February 2021, the costs for Sheriff Coe's office that will not be offset from any grant or reimbursement have exceeded well beyond \$341,000.

6. In addition to these net expenditures by the Sheriff's office, Kinney County incurred the following net expenditures as a result of the drastic increase in border crime stemming from the unlawful immigration policies enacted by DHS. Since January 2021, Kinney

County Emergency Medical Services (KCEMS) has incurred over \$450,000 in expenses directly related to border related calls pertaining to illegal aliens or human smugglers attempting to evade law enforcement.

- \$139,000 of expenses for the county in unpaid calls in providing emergency medical services to illegal aliens or human smugglers attempting to illegally transport them.
- \$307,000 of expenses for the county in overtime costs for necessary personnel required to address the drastic rise in call volume related to emergency medical services for illegal aliens or human smugglers attempting to illegally transport them.
- \$4,200 of expenses for the county in additional fuel costs required to address the drastic rise in call volume related to emergency medical services for illegal aliens or human smugglers attempting to illegally transport them.

These expenses are above and beyond what our county can afford and will not be reimbursed by Operation Lonestar and other programs.

7. Thus, when the Sheriff's expense are considered together with Kinney County's in the aggregated total, the cost borne by county taxpayers to deal with the increases, over pre-February 2021 levels, in crimes committed by illegal aliens and smugglers in Kinney County, the county has spent over \$800,971.30 more than Texas has reimbursed or will reimburse it under Operation Lonestar and other programs designed to offset such expenses.

8. The most significant cost of all, however, cannot be assigned a dollar amount. On three occasions, taxpaying residents of Kinney County have passed away while all emergency medical services (EMS) were responding to human smuggling events, leaving

them without any emergency medical care in their time of need. In the most recent occasion this year, one long time county resident suffered a severe stroke and was unresponsive. Unfortunately, all available EMS resources were already responding to a vehicle rollover caused by an attempted human smuggling event, leaving the stroke victim without any available emergency medical care. As a result, EMS was requested from neighboring Val Verde County, resulting in a lengthy delay of receiving lifesaving medical treatment when seconds count. While it is unknown what financial expense could be assigned to the deaths of our three residents, we all know the cost is too high to bear.

I have personal knowledge concerning the information contained in this declaration.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 13th day of November 2024 in Brackettville, Texas.



John Paul Schuster
Judge, Kinney County, Texas